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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SPURGEON DANIELS, JR.,

Plaintiff,

V.

KATHLEEN BUCHANAN, *et al.*,

Defendants.

Case No. 2:12-CV-00717-KJD-GWF

ORDER

Before the Court for consideration is the Report & Recommendation (#5) of Magistrate Judge George Foley, Jr entered July 5, 2012, recommending that this action be dismissed with prejudice. No objection to the Report and Recommendation has been filed.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. Based on its review, the Court agrees with the Magistrate Judge's determination that the complaint be dismissed with prejudice because Plaintiff failed to file an amended complaint in compliance with the Court's order (#2).

IT IS HEREBY ORDERED THAT the Report & Recommendation (#3) of the United States Magistrate Judge entered July 5, 2012, should be **ADOPTED and AFFIRMED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** with prejudice.

DATED this 29th day of August 2012.


Kent J. Dawson
United States District Judge